

Central Intelligence Agency



Washington, D.C. 20505

OLL 84-0936
5 March 1984

The Honorable Patricia Schroeder
Subcommittee on Civil Service
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

This is written in response to your 17 February 1984 letter requesting information on the non-disclosure agreements utilized by the Central Intelligence Agency (CIA) to assist in your consideration of H.R. 4681, the "Federal Polygraph Limitation and Anti-Censorship Act of 1984." I have been asked to respond on behalf of the Director of Central Intelligence.

In response to your questions concerning the types of personnel that sign various secrecy agreements here at the Agency, you should know that all Agency employees, whether staff employees, probationary employees, or contract employees, as well as detailees and assignees from other agencies, sign secrecy agreements containing a prepublication review provision. All Agency employees are required to sign, as a condition of employment, an entrance on duty (EOD) secrecy agreement which contains a prepublication review requirement (enclosed at Tab A). Detailees and assignees from other federal agencies similarly sign a secrecy agreement with a prepublication review requirement at the beginning of their detail or assignment with the CIA. Due to the extraordinarily sensitive mission of this Agency, all employees, detailees, and assignees sign such agreements regardless of the level of classified information to which they may have access at the Agency. It thus should be emphasized that prepublication review requirements are agreed to in writing by all Agency employees, detailees, and assignees, and not simply by those individuals who seek access to Sensitive Compartmented Information (SCI).

As you may know, a prepublication review requirement of some sort has existed and has been agreed to in writing by Agency employees since the 1940's. A sampling of secrecy agreements which have been utilized during various periods of the Agency's existence is enclosed at Tab B. As you can see from these agreements, the Agency has historically required that before an employee is provided access to classified information, that he or she sign a written agreement containing a prepublication review requirement.

It should be noted that the requirement to sign a non-disclosure agreement for access to SCI is separate from the requirement that Agency employees, detailees, and assignees sign secrecy agreements. Thus, anyone who seeks access to SCI, whether or not he or she has signed a CIA secrecy agreement, must sign an SCI non-disclosure agreement. For this reason, the SCI non-disclosure agreement must be signed by Government contractors and Government employees alike. The SCI non-disclosure agreement (Form 4193 and its predecessors) does contain a prepublication review requirement.

The above information should answer the questions posed in your 17 February letter. We have not provided specific numbers in response to these questions since information concerning the number of Agency personnel is classified and protected by statute (50 U.S.C. 403g). We would be willing, however, if you believe it necessary, to provide a classified submission which would provide available information on the numbers of Agency employees who have signed EOD secrecy agreements and/or SCI non-disclosure agreements.

If I may be of further assistance on this matter, do not hesitate to contact me.

Sincerely,



Clair E. George
Director, Office of Legislative Liaison

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Enclosures

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